

Patent No. 7,438,704  
Request for Cert. of Correction dated January 22, 2009  
Attorney Docket No. 0388-020198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,438,704 Confirmation No. 4588  
Inventors : Kawashima et al.  
Issued : October 21, 2008  
Title : Open Instillation Container And  
Method of Manufacturing The Container  
Examiner : Jila M. Mohandesi  
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction  
Branch of the Patent Issue Division

Sir:

In accordance with 35 U.S.C. §255, we attach hereto Form PTO/SB/44 and proof of errors and request that a Certificate of Correction be issued in the above-identified patent. The following errors appear in the patent as printed:

Column 14, Line 4, Claim 2, "of the of the" should read – of the –  
(See the Amendment dated March 26, 2008, page 3, Claim 19, Lines 2-3.)

Column 14, Line17, Claim 6, "are circular" should read – is circular –  
Line19, Claim 6, "decreases as" should read – decreasing as –  
(See the Amendment dated March 26, 2008, page 3, Claim 19. Claim 19 issued as Claim 6.

The above errors are obvious typographical errors made by Applicants. The Commissioner of Patents and Trademarks is hereby authorized to charge the fee of \$100.00 for correction of Applicants' mistakes by credit card, the information for which is being submitted concurrently herewith.

Respectfully submitted,

THE WEBB LAW FIRM

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I certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on January 22, 2009.

Mary Jo Sinicrope  
(Name of Person Submitting Paper)

01/22/2009  
Date

Mary Jo Sinicrope  
Signature

**UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,438,704  
APPLICATION NO. : 10/049,733  
ISSUE DATE : October 21, 2008  
INVENTORS : Kawashima et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 14, Line 4, Claim 2, "of the of the" should read – of the –

Column 14, Line17, Claim 6, "are circular" should read – is circular –  
Line19, Claim 6, "decreases as" should read – decreasing as –

MAILING ADDRESS OF SENDER: The Webb Law Firm  
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This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.*

Application No. 10/049,733  
Paper Dated: March 26, 2008  
In Reply to USPTO Correspondence of September 27, 2007  
Attorney Docket No. 0388-020198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/049,733 Confirmation No. 4588  
Applicant : YOICHI KAWASHIMA  
Filed : November 8, 2002  
Title : OPEN INSTILLATION CONTAINER AND METHOD  
OF MANUFACTURING THE CONTAINER  
Group Art Unit : 3728  
Examiner : Jila M. Mohandesi  
Customer No. : 28289

MAIL STOP RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Madam:

Please find enclosed with this correspondence, a Petition for Extension of Time for a period of three months, extending the time in which a response is due to the outstanding Office Action until March 27, 2008. In response to the Office Action dated September 27, 2007, Applicants submits the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.

I hereby certify that this correspondence is being electronically submitted to the United States Patent and Trademark Office on March 26, 2008.

03/26/2008

Date

*Christine A. Canavan*

Signature

Christine A. Canavan

Typed Name of Person Signing Certificate

4/2/08 1770-043

**AMENDMENTS TO THE CLAIMS**

Claims 1, 2, 6-16 and 21 were previously cancelled without prejudice. This Amendment cancels claim 23, without prejudice, and amends claim 17. This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims**

1-2. (Cancelled)

<sup>1</sup>  
~~2.~~ <sup>3.</sup> (Previously Presented) The eye drop container as defined in claim ~~17~~, wherein said dispensing body portion has a threaded portion formed integral therewith for detachable meshing a cap to seal the second body segment of the of the dispensing body portion.

delete  
duplicate

<sup>2</sup>  
~~3.~~ <sup>4.</sup> (Previously Presented) The eye drop container as defined in claim ~~17~~, wherein said second body segment has a depth in a range of 2 to 7mm.

<sup>1</sup>  
~~4.~~ <sup>5.</sup> (Previously Presented) The eye drop container as defined in claim ~~17~~, wherein said second body segment has an opening diameter adjacent the tip end in a range of 2 to 4mm.

6-16. (Cancelled)

<sup>1</sup>  
~~17.~~ <sup>1.</sup> (Currently Amended) An eye drop container, comprising:  
a flexible hollow body portion having a closed end for containing a liquid therein; and

a dispensing body portion having a tip end spaced from the closed end of the hollow body portion, with the liquid free to move within the container between the flexible hollow body portion and the dispensing body portion, the dispensing body portion, comprising:

a first hollow body segment having an external circular surface and an opposite internal circular surface, with the external circular surface having decreasing diameter as the distance from the tip end decreases to have the smallest diameter at the tip

end, and the internal circular surface having decreasing diameter as the distance from the tip end decreases; and

a second body segment extending from the tip end into the first segment, the second segment having an outside circular surface and an opposite internal surface, with the internal surfaces of the first and second segments facing one another, spaced from one another, and the external surface of the second segment having increasing diameter as the distance from the tip end decreases, with the second segment at a predetermined distance from the tip end terminating in a small-diameter instilling hole, the internal surface of the second body segment providing a passageway, wherein the passageway has no obstruction such that the liquid is free to move through the passageway and out of the tip end,

wherein said hollow body portion and the dispensing body portion are integrally and unitarily formed as one piece to form a blow-mold product or a vacuum-mold product,

wherein the tip end of the external surface has a bowl-shaped curved surface that is free of burrs, and

wherein applying a predetermined pressure to the body portion moves a predetermined amount of the fluid in the container through the instilling hole.

<sup>15</sup> 18. (Previously Presented) The eye drop container as defined in claim <sup>1</sup>17, further comprising a cap detachably secured to the dispensing body portion, the cap comprising an internal nib shaped to engage selected portions of the external walls of the second body segment when the cap is securely mounted on the hollow body portion.

<sup>16</sup> 19. (Previously Presented) The eye drop container as defined in claim <sup>15</sup>17, wherein the internal surface of the second body segment <sup>is</sup> ~~are~~ circular, with the diameter of the internal surface of the second body segment ~~decreases~~ <sup>decreasing</sup> as the distance from the tip end increases.

<sup>17</sup> 20. (Previously Presented) The eye drop container as defined in claim <sup>6</sup>19, wherein outer surface portion of the hollow body portion adjacent the dispensing body portion has external threaded portion formed integrally therewith, and further comprising a cap having an open end, internal threads sized to mesh with external threaded portion of